

these officers on the issue, including the impact of not transferring the western land, as we proceed through conference. I am committed to resolving this matter in a way that maximizes our opportunity to provide our military personnel with the training they need to ensure they are not unnecessarily put at risk when they are deployed into harm's way.

Ms. LANDRIEU. I thank the Senator for his commitment on this matter and look forward to working with him in the weeks ahead.

ACQUISITION PROGRAMS AT NSA

Mr. SHELBY. I note to the distinguished chairman of the Armed Services Committee an issue in the committee report accompanying the National Defense Authorization Act for Fiscal Year 2001, S. 2549, on page 126, the report deals with acquisition programs at the National Security Agency (NSA). I fear that the language of the report could have unintended consequences for the on-going efforts to modernize the National Security Agency. The report mandates that the NSA manage its modernization effort as though it were a traditional major defense acquisition program. If this mandate were applied to each of the individual technology efforts within the NSA, such a requirement could impede NSA's flexibility to modernize and upgrade its capabilities. I would ask the Chairman of the Armed Services Committee whether this was the Committee's intent?

Mr. WARNER. I thank the Chairman of the Intelligence Committee, Senator SHELBY. I believe we both agree that the National Security Agency should better address its acquisition issues. However, I note the concerns you raise and agree that the report should not be read to mandate treating each individual technology effort within NSA as a major acquisition program. As the chairman of the Intelligence Committee knows, the Department of Defense (DoD) has an extensive effort to develop various technology projects that could ultimately contribute to one or more major DoD acquisition programs. DoD does not manage these individual technology projects as major acquisition programs, despite the fact that they may contribute to successful fielding of a program being managed as a major acquisition program.

It was the committee's intent to ensure that each of the major modernization efforts that NSA must undertake will receive appropriate management attention. It was not the committee's intent that individual technology projects that are contributing to those broader efforts be managed as major acquisition programs on a project-by-project basis.

I look forward to working with you to ensure that NSA properly manages its acquisition programs.

Mr. SHELBY. I thank the Chairman.

Mr. WARNER. Mr. President, on behalf of my distinguished ranking member and myself, we submit to the Senate the following time agreement.

I ask unanimous consent that at 6:30 p.m. on Wednesday, when the Senate resumes the DOD authorization bill, Senator BYRD be recognized for up to 30 minutes for debate on his amendment, with a Roth statement to be inserted at that point following the debate, and following the disposition of the amendment and notwithstanding the managers' package of amendments, the following amendments be the only remaining first-degree amendments in order, that they be limited to 1 hour equally divided unless otherwise stated, and that with respect to the second-degree amendments, they be under no time restraints and limited to relevant second-degree amendments unless otherwise stated. Those amendments are as follows:

Feingold, re: D5 missile, 40 minutes equally divided; Durbin, re: NMD testing, 2 hours equally divided with no second-degree amendments; Harkin, secrecy; Kerry of Massachusetts, environmental fines.

I further ask unanimous consent that following the disposition of the pending Byrd amendment and the listed amendments, the bill be advanced to third reading, and the Senate proceed to the consideration of the House companion bill, H.R. 4205, all after the enacting clause be stricken, the text of the Senate bill be inserted, the House bill be advanced to third reading, and passage occur, all without any intervening action, and the Senate bill be then placed on the calendar.

I further ask unanimous consent that at the time of the stacked rollcall votes, there be up to 10 minutes equally divided provided for closing remarks with respect to only the Kerrey amendment.

I further ask unanimous consent that the Senate insist on its amendments, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

Finally, I ask the time limit with respect to the Harkin amendment only be vitiated prior to 12 noon on Wednesday, at or upon the request of the minority leader.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Mr. President, reserving the right to object, and I obviously won't because this is a very good unanimous consent agreement, I believe in reading the last two lines my good friend from Virginia left out the word "may" so that "it may be vitiated."

Mr. WARNER. Mr. President, my colleague is correct. I shall reread it.

Finally, I ask that the time limit with respect to the Harkin amendment only may be vitiated prior to 12 noon on Wednesday, upon the request of the minority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, has that now been adopted?

Mr. WARNER. That has been accepted. This is a momentous occasion.

The PRESIDING OFFICER. Yes.

Mr. WARNER. I thank all who worked so assiduously to make this possible. As we said in World War II: Praise the Lord and pass the ammunition. We have this bill on its final track.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I thank my friend from Virginia. There has been a lot of hard work, indeed, that has gone into this agreement. I do want to see if our understanding is correct on this. It was not explicit in the unanimous consent agreement. That is that following the disposition of the Byrd amendment tomorrow evening, and notwithstanding the managers' package of amendments, that the following amendments be—and then they are identified.

It is our expectation and intention that that proceed immediately tomorrow night, to consideration of those listed amendments.

Mr. WARNER. Mr. President, the Senator is correct in that interpretation, that we will hear from our distinguished former majority leader, member of the Armed Services Committee, Senator BYRD, for 30 minutes. A statement will then be placed in the RECORD on behalf of Senator ROTH, and we will proceed immediately to the amendments as ordered.

Mr. LEVIN. After disposition of the Byrd amendment.

Mr. WARNER. After disposition of the Byrd amendment.

Mr. LEVIN. And that will all occur tomorrow night?

Mr. WARNER. That is correct.

Mr. LEVIN. I thank the Presiding Officer and my good friend from Virginia.

MORNING BUSINESS

Mr. WARNER. Mr. President, I now ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACKNOWLEDGMENT OF SENATOR PETER FITZGERALD'S 100TH PRESIDING HOUR

Mr. LOTT. Mr. President, today I have the pleasure to announce that another freshman has achieved the 100-hour mark as presiding officer. Senator PETER FITZGERALD is the latest recipient of the Senate's Golden Gavel Award.

Since the 1960's, the Senate has recognized those members who preside over the Senate for 100 hours with the